

# Notice of Allowability

Application No.

09/559,469

Examiner

Binh-An D. Nguyen

Applicant(s)

KUDO, SHINICHI

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed May 9, 2005.
2. ☒ The allowed claim(s) is/are 2,5 and 7-11.
3. ☒ The drawings filed on 26 April 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 5/9/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**XUAN M. THAI**  
**SUPERVISORY PATENT EXAMINER**

*TC3700*

## REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The cited reference of Rieder (5,769,718) discloses a video game method and system for generating image data of a player character and image data of a background with virtual three-dimensional space as a bird's-eye view wherein when the display position of the player character is hidden behind a wall or a floor, the image data is modified so that the wall or floor concealing the player character is made semitransparent; and the cited reference of Stephens et al. (6,155,923) discloses a video game system and method for modifying or altering existing graphical character elements. Further, the reference of Kami et al. (5,853,324) teaches a shooting game wherein when the attack mode is selected the player can attack and damage an enemy in a game space while the player is exposed to the attacks of the enemy, and when a defense mode is selected, the player can avoid the attacks of the enemy by hiding and the enemy cannot also be attacked by the player.

Kami et al, Rieder, and/or Stephens et al., alone or in combination, does not anticipate or make obvious the applicant's claimed limitations a video game displaying method that restricting changing of background images from the start until the completion of a predetermined particular operational mode of a plurality of operational modes to avoid unacceptable delay and switching background images from one to another in response to manipulation of an input device of a video device after completion of a predetermined operational mode, wherein a plurality of operational

modes include a fighting mode representing a state in which a player character is able to fight using a weapon; and a moving mode representing a state wherein said character moves while carrying said weapon, *e.g., the player character carrying a Japanese samurai sword and while in the moving mode the player enters the sword in its scabbard and is put in a state where it cannot grasp the haft thereof*, and said fighting mode is set as operational mode, and wherein said character is unable to fight using said weapon in the moving mode (as per independent claims 7-11), in combination with other presented limitations.

Claims 2, 5, and 7-11, therefore, are allowable.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TC3700